

7. IMPLEMENTATION

The Envision San Jose 2040 General Plan provides a broad range of Goals and Policies that establish the foundation of information, analysis, conclusions, and rationale to guide future decisions by the City. Its diagrams compliment those Goals and Policies and provide further direction for City decision-making.

Major City processes independent of this General Plan provide the main vehicle for its implementation. Major implementation processes described in this chapter include those related to its ongoing application and maintenance, including the use of Plan Horizons, the Major General Plan Review process and the General Plan Annual Review process. This chapter also addresses Village Planning, the Capital Improvement & Budget Program, and land use entitlements (including zoning and development permits). These programs, already in existence or proposed, provide a means to carry out certain objectives of this Plan.

General Plan implementation depends on much more than merely the actions or decisions of municipal government alone. Inter-governmental and private sector decisions and investments also play a major role in implementation. The General Plan is intended to serve a coordinating function for those decisions which affect the physical development of San Jose. Several of the major intergovernmental decisions which warrant attention include the Federal Government's funding of block grants for redevelopment, rehabilitation, conservation and housing subsidy programs; the Federal Government's funding of Water Pollution Control Plant improvements and airport approach zone acquisition; and the Federal share of freeway or mass transportation funding. These, plus State, regional and County decisions affect the City and its residents in such diverse areas as transportation, air quality, education, flood protection and health and welfare facilities and services.

General Plan Goals and Policies are intentionally high-level and broad. The City regularly updates subsidiary policy documents, such as its Economic Strategy, Cultural Vision Plan, and Greenprint (the Parks Master Plan) to provide more in-depth analysis and actions to implement Goals and Policies outlined in the General Plan. This framework allows for variation in strategies to achieve the intent of the General Plan without the need to modify the General Plan itself. As subsidiary policy documents are formed or amended, they will be evaluated for conformance

with General Plan Goals and Policies. This approach ensures consistency between the implementation tools and the broad City objectives outlined in the Goals and Policies of this General Plan.

A major General Plan implementation concept is Plan Horizons, or phases, that carefully manage the City's expected growth. The full amount of employment growth capacity is available at the onset, while housing growth is geographically limited to identified Growth Areas included in the first Plan Horizon. As part of a Major General Plan Review, which occurs every four years, the City Council will consider whether the jobs/housing balance, fiscal sustainability, and infrastructure are sufficiently strong to move into a subsequent Plan Horizon. Each Plan Horizon would open additional geographic areas to the possibility of residential development. A table and map at the end of this chapter show the planned yield of residential units by identified Growth Area and by Plan Horizon.

In addition to the Major General Plan Review, the General Plan Annual Review process provides for review of site specific proposals for possible amendment of the General Plan text and the Land Use / Transportation Diagram by both the City and private applicants on a yearly basis.

The Urban Village Planning process is the primary vehicle to realize the vision of the "Urban Villages and Corridors" City Concept. Urban Village Plans are a prerequisite to residential development in Villages and Corridors, identified as Urban Villages on the Land Use / Transportation Diagram. An Urban Village Plan establishes the framework to ensure that each Village and Corridor develops in a manner consistent with the Goals and Policies of this General Plan. Urban Village Plans identify appropriate uses, densities, and connections throughout the Village or Corridor area. They also consider how and where parks, schools, libraries, open space, retail, and other amenities should be incorporated.

To evaluate the progress in accomplishing the objectives of this General Plan and to help inform the City's budget, Implementation Actions and Performance Measures are interspersed throughout the Goal and Policy sets. The Implementation Actions are specific directives to further the Goals and Policies. They are typically discrete tasks that, once completed, are removed from the General Plan text through the Annual General Plan Review process and documented in Appendix 8 – Record of General Plan Amendments. Performance Measures provide measurable standards that allow the City to track progress towards meeting objectives of this General Plan. Performance Measures are interspersed throughout this document. Those directly related to environmental

sustainability are also consolidated in this chapter under Goal IP-4 for easy reference.

Construction of public facilities and infrastructure is a critical link between the development of the City and the implementation of the General Plan. San Jose's five year Capital Improvement Program (C.I.P.) itemizes specific improvements and indicates the schedule and anticipated funding for them. The C.I.P. is the primary tool that aligns City investments with General Plan Goals and Policies.

The City's Development Review process is a multifaceted one involving the programs of several City departments. This process has the most direct influence on the City's ability to carry out the primary development goals and policies of this General Plan. The Development Review process also implements the land use designations as shown on the Land Use / Transportation Diagram. Community engagement is an important aspect of the Development Review process; it influences recommendations and decisions.

The private sector finances and implements most of the redevelopment that occurs in the City. Decisions on the specific location and timing of a development project have traditionally been initiated by the private sector and will, on the whole, continue to be. However, the City is taking an increasingly active role in shaping development decisions in order to improve the relationship between private development and public facilities, services, and interests.

San Jose recognizes the economic and fiscal importance of promoting an appropriate balance of both housing and job growth. All economic and housing development directly influences attainment of the General Plan Policy objective of 1.3 jobs for each employed resident. Implementation Goals and Policies in this section address efficient and effective ways of facilitating job and housing growth at appropriate densities and locations.

This General Plan guides the physical development of the City. The Implementation chapter provides the techniques, strategies, and methods for carrying out General Plan recommendations. This chapter contains the framework for transforming San Jose into the vision we share for it in 2040.

Implementation

Land Use / Transportation Diagram

As set forth in the Land Use / Transportation Diagram and Land Use goals and policies, all substantial new development activity within San Jose should conform to the Land Use / Transportation Diagram. The land uses shown on the Land Use/ Transportation Diagram do not, in all cases, reflect the existing zoning or use of individual properties. General Plan land use designations indicate the City's intent for the appropriate future land use and development character for a designated area. As a charter city, San José is exempt from the statutory requirement that zoning be consistent with its General Plan, although zoning will become more consistent as the Plan is implemented over time.

Goal IP-1 – Land Use / Transportation Diagram

Make land use and permit decisions to implement the General Plan Land Use / Transportation Diagram and to further the vision, goals and policies of this General Plan.

Policies - Land Use / Transportation Diagram

- IP-1.1 Use Zoning to indicate the appropriate type, form, and height of development for a particular property. The General Plan Land Use / Transportation Diagram designations are intended to be general in nature and provide flexibility to allow for a mix of land uses, intensities and development forms compatible with a wide variety of neighborhood contexts.
- IP-1.2 Consider multiple zoning districts to provide site-specific development guidance for individual parcels within a large area sharing a single Land Use designation as consistent with the General Plan, given that the Land Use / Transportation Diagram provides a more generalized description of the appropriate land uses and form of development for an area.
- IP-1.3 Ensure that proposals for redevelopment or significant intensification of land uses on a property conform to the Land Use / Transportation Diagram. Because the Diagram designation identifies the City's long-term planned land use for a property, non-conforming uses should transition to the planned use over the timeframe of this General Plan. Allow improvements or minor expansions of existing, non-conforming land uses provided that such development will contribute to San Jose's employment growth goals or advance a significant number of other General Plan goals.
- IP-1.4 Implementation of existing zonings and/or approved land use entitlements, which were previously found to be in conformance with the General Plan prior to its comprehensive update, may be considered as being in conformance with this General Plan provided that the implementation of such entitlements would generally support its goals and policies.

- IP-1.5 Maintain a Zoning Ordinance and Subdivision Ordinance that aligns with and supports the Land Use / Transportation Diagram and General Plan goals and policies. Develop new Zoning Districts which enumerate uses and establish development standards, including heights, to achieve vital mixed-use complete communities and facilitate their implementation.
- IP-1.6 Ensure that proposals to rezone and prezone properties conform to the Land Use / Transportation Diagram and advance General Plan Vision, goals and policies and benefit community welfare.
- IP-1.7 Use standard Zoning Districts to promote consistent development patterns when implementing new land use entitlements. Limit use of the Planned Development Zoning process to unique types of development or land uses which can not be implemented through standard Zoning Districts, or to sites with unusual physical characteristics that require special consideration due to those constraints.
- IP-1.8 Consider and address potential land use compatibility issues, the form of surrounding development, and the availability and timing of infrastructure to support the proposed land use when reviewing rezoning or pre zoning proposals.

General Plan Phasing / Planning Horizons / Major Review

General Plan Phasing / Planning Horizons

Development under this General Plan is planned to occur in phases, referred to as Horizons, in order to carefully manage San Jose's expected growth. The General Plan Land Use / Transportation Diagram identifies the locations of all focused Growth Areas available citywide from the present through the 2040 timeframe of this General Plan. Many of these sites are currently in commercial use. In these identified Growth Areas, redevelopment of underutilized properties is strongly encouraged as a strategy to create intensified mixed-use development. In some cases, this Plan calls for primarily retail, office and non-residential uses to develop employment centers in some locations, and in other areas, mixed use integrated with residential development and supportive retail and service uses is planned.

Full development of all Growth Areas citywide is not proposed to happen concurrently. Because key elements of the Vision for this General Plan are to achieve the City's fiscal sustainability and to improve its Jobs-to-Housing balance, proposals for commercial, office, and other combinations of non-residential development can be pursued at any time, consistent with existing Land Use designations. However, to provide for residential development, this Plan includes each Growth Area, and the development capacity planned for that area, in one of a series of three (3) incremental growth Horizons so that the amount of new housing and the City's need to provide services for those new residents are increased gradually over the timeframe of the Plan. Each sequential Horizon identifies additional Urban Villages to be designated for residential mixed-use development, consistent with the City's ability to provide infrastructure and services. New

development proposals should be guided to those Growth Areas within the City which are supported by existing adequate infrastructure and service facilities, especially transit, or which have secure plans for facilities needed to support new growth.

With the adoption of this General Plan, all Growth Areas included in the first Horizon will be designated on the Land Use / Transportation Diagram and will be available for residential and mixed use development up to their entire planned capacity. In addition, existing entitlements for both residential and non-residential development may proceed at any time. As the City grows and there is interest in creating mixed use residential communities in more Growth Areas, the steps of the Planning Horizons provide the City with an opportunity to assess progress toward achievement of its General Plan Vision and goals before moving to the next Horizon and opening those additional Growth Areas for intensive, mixed use residential development. Such review should focus on consideration of progress made in economic development, the City's fiscal health, and its ability to support continued population growth. As new Growth Areas are made available for mixed use residential development, the Land Use / Transportation Diagram shall be amended to reflect its new Land Use designations.

Major Review of the General Plan

This General Plan establishes an ongoing program for the City to monitor and evaluate its success in implementation, fundamental elements of which include both Annual and Major Reviews. Unlike the Annual Review which provides for review of site specific proposals for possible amendment of the General Plan text and the Land Use / Transportation Diagram by both the City and private applicants on a yearly basis, a Major Review of the General Plan is a periodic review by the City Council every four years, allowing an assessment of progress and mid-course adjustments toward implementation of this General Plan, using key indicators identified therein. A Major General Plan Review therefore provides the structure and opportunity for the City Council to determine whether to move into the next growth Horizon identified in this General Plan.

Plan Horizons establish clear priorities for locations, type and amount of new development in the Growth Areas, to support efficient use of the City's land resources and delivery of City services, and to minimize potential environmental impacts. The highest priority is to focus new housing growth in established transit corridors, transit station areas in close proximity to the Downtown, and in large employment districts. As part of the periodic Major Review of this General Plan, the City will specifically consider progress toward the achievement of economic, fiscal, and transportation goals, as well as the availability of infrastructure and other services to support the City's continued residential population growth.

Goal IP-2 – General Plan Phasing / Planning Horizons / Major Review

Monitor progress toward General Plan Vision, goals and policies through a periodic Major Review. Evaluate the success of this Plan's implementation and consider refinement of the Land Use / Transportation Diagram and the General Plan policies to ensure their achievement. Use General Plan Major Reviews to consider increases in available residential development capacity by opening an additional Horizon for development and to assign priority to growth areas within San Jose for new housing.

Policies – General Plan Phasing / Planning Horizons / Major Review

- IP-2.1 Gradually implement the development of new Urban Village areas by dividing them into three Plan Horizons and allowing a specific portion of the Urban Village areas to be developed within each Horizon. Identify the locations of current Plan Horizon Urban Villages, presently available for residential development, on the Land Use / Transportation Diagram.
- IP-2.2 Identify the Urban Villages to be made available for new housing in future Plan Horizons, and allow continued commercial and mixed use non-residential development in all Urban Villages.
- IP-2.3 Prepare Urban Village Plans in advance of the redevelopment of an Urban Village to facilitate coordination of infrastructure, community facilities and parks planning with planned new residential growth, including use of the City's Capital Improvement Program.
- IP-2.4 Conduct a Major Review of this General Plan by the City Council every four years to evaluate the City's achievement of key economic development, fiscal and infrastructure/service goals, greenhouse gas emission reduction goals and targets, availability and affordability of housing supply, Healthful Community goals, and review changes and trends in land use and development. Based on this review, determine the City's readiness to begin the next General Plan Horizon or to modify the number of "pool" residential units available for non-specific Urban Village areas within the current Plan Horizon. Amend the Land Use / Transportation Diagram and/or General Plan policies and actions to achieve key General Plan goals.
- IP-2.5 During each Major Review of the General Plan evaluate input provided by the reconvened Task Force and achievement of the following key General Plan goals to inform the City Council's decision to begin the next General Plan Horizon or to increase the number of residential units available for non-specific Urban Village areas:
1. Jobs/Housing Balance – Demonstrate improvement of the City's jobs to employed resident ratio (J/ER) consistent with achievement of 1.3 jobs per employed resident by the year 2040.
 2. Fiscal Stability – Demonstrate sustainable improvement above 2010 levels in the level of service for City services provided to the San Jose community.
 3. Housing Supply – Verify that the current Planning Horizon contains adequate capacity to meet San Jose's Regional Housing Needs Allocation for the upcoming 4-year term.
 4. Infrastructure – Confirm that adequate infrastructure and service facilities, especially transit, exist or that a secure plan for them is in place to support the planned jobs and housing capacity in the current and contemplated Horizon.

- IP-2.6 Encourage employment uses in all Village or Corridor areas identified for potential housing growth available during any Horizon. Allow intensified residential mixed use in Villages and Corridors in those Horizons as determined by the City Council in the sequence shown in the Table, *Planned Job Capacity and Housing Growth Areas by Horizon*. Amend the Land Use / Transportation Diagram to identify new housing Growth Areas with each new Horizon.
- IP-2.7 Allow development of residential units at the density and in the form approved in land use entitlements in place upon adoption of this General Plan, including capacity specified in the adopted Downtown Strategy, North San Jose Area Development Policy, Evergreen-East Hills Development Policy, Specific Plans, and potential dwelling unit yield from residential properties identified on the City's Vacant Land Inventory. When the City Council commences the second Horizon of this General Plan, new or revised proposals for development on sites with previously approved residential entitlements should conform to the Land Use / Transportation Diagram.
- IP-2.8 Focus new residential development into specified Growth Areas to foster the cohesive transformation of these areas into complete Urban Villages. Allow immediate development of all residential capacity planned for the Growth Areas included in the current Plan Horizons.

Table: Planned Housing Growth Capacity by Plan Horizon

"Base" Capacity for new housing development not regulated by Plan Horizons	Downtown Strategy Area Specific Plan Areas North San Jose Area Development Policy Vacant/Underutilized Lands Residential Neighborhoods Existing Entitlements
Horizon 1 Residential Growth Areas	Downtown Corridors (East Santa Clara Street, Alum Rock Avenue, West San Carlos Street and The Alameda) Urban Villages
Horizon 2 Residential Growth Areas	BART Station, Light Rail Station and Light Rail Corridor Urban Villages
Horizon 3 Residential Growth Areas	Planned Light Rail Stations and Corridors, Commercial Centers and Neighborhood Urban Villages

- IP-2.9 Open Horizons for development in planned phases to give priority for new residential growth to occur in areas proximate to Downtown, with access to existing and planned transit facilities, and adequate infrastructure to support intensification, and proximate to other Growth Areas to contribute to the City's urban form.
- IP-2.10 To facilitate the development of complete Urban Village areas, following construction of a Signature Project within a future Horizon Urban Village, move the subject Urban Village into the current Planning Horizon.

- IP-2.11 Provide a “Pool” of residential unit capacity which may be allocated to allow entitlement of residential projects within Urban Village Areas not included within the current Plan Horizon. This pool is initially established as 5,000 units, and may be replenished as part of a General Plan Major Review. Projects receiving allocation must conform to the Land Use / Transportation Diagram. Preparation of an Urban Village Plan for the subject Urban Village is necessary prior to allocation of these units unless the project qualifies as a Signature Project.
- IP-2.12 Reconvene the *Envision San Jose 2040* Task Force during each Major Review of the General Plan to provide community and stakeholder engagement in reviewing and evaluating success in the implementation of this General Plan and recommending any mid-course actions needed to achieve its goals.

General Plan Annual Review and Measurable Sustainability

Goal IP-3 – General Plan Annual Review and Measurable Sustainability

Evaluate the progress of this Plan’s implementation actions and programs, and the Green House Gas (GHG) reduction strategies using its Performance Measures and the Council’s Climate Action/Green House Gas Reduction Policy and, as needed, refine General Plan goals and policies and the Land Use / Transportation Diagram during Annual Review.

Policies – General Plan Annual Review and Measurable Sustainability

- IP-3.1 Beginning in 2013, hold one (1) Annual Review hearing for the Planning Commission and the City Council to review and consider proposed amendments to this General Plan and to evaluate its Performance Measures. General Plan Amendments will not be considered subsequent to adoption of the *Envision* General Plan until 2013.
- IP-3.2 As part of the General Plan Annual Review, carefully monitor the jobs-to-employed resident ratio and consider the following current development trends:
- Vacant land absorption,
 - Amount of residential and economic development,
 - Amount and value of non-residential construction,
 - Number and types of housing units authorized by building permit, and development activity level in zonings, development permits, annexations and building permits,
 - Status and current capacity of major infrastructure systems which are addressed in General Plan Level of Service policies (transportation, sanitary sewers, and sewage treatment),
 - Transit-ridership statistics and other measures of peak-hour diversion from single occupant vehicles,
 - Status and implementation of Green Vision, General Plan policies, and other greenhouse gas reduction strategy measures, including greenhouse gas emission reductions compared to baseline and/or business-as-usual, and
 - Levels of police, fire, parks and library services being provided by the City.

- IP-3.3 Consider only during Annual Review any General Plan Amendment proposals to modify the Land Use / Transportation Diagram or to make minor modifications to the Urban Growth Boundary or expansion of the Urban Service Area., Early consideration for continued processing or denial for such projects may be considered outside of the General Plan Annual Review process.
- IP-3.4 Maintain the City's total planned housing growth capacity (120,000 dwelling units) as a cumulative result of any Amendments approved during a single Annual Review. Amendments may maintain or increase, but not diminish the total planned job growth capacity for the City.
- IP-3.5 Annual Review may include consideration of required General Plan Amendments for proposals to modify identified Urban Village Growth Areas, including creation of new Urban Villages, removal of existing Urban Villages or modification of a Growth Area's boundaries, or to modify the identified Plan Horizon for an Urban Village. Creation of a new Urban Village may be considered to facilitate development of an exceptional project that meets standards and objectives comparable to those identified for Signature Projects, including exceeding minimum densities for employment and residential uses and consistency with site and architectural design guidelines. Creation of a new Urban Village area will require transfer of the planned amount of housing growth capacity from some other identified Growth Area that has housing growth capacity.
- IP-3.6 For all General Plan Amendment proposals, analyze the projected effects upon transportation, including transit use, bicycle and pedestrian activity, and traffic congestion, upon the City's job growth capacity and anticipated fiscal performance, and upon the City's progress toward its open space and parklands goals.
- IP-3.7 Monitor, evaluate and annually report on the success of the programs and actions contained within the Greenhouse Gas Reduction City Council Policy to demonstrate progress toward achieving required State of California Greenhouse Gas reduction targets (at or below 1990-equivalent levels) by 2020, 2035 and 2050. Refine existing programs and/or identify new programs and actions to ensure compliance and update the Council Policy as necessary.
- IP-3.8 Consistent with the City's Green Vision, evaluate achievement of the following goals for environmental sustainability as part of each General Plan annual review process:
- Reduce per capita energy consumption by at least 50% compared to 2008 levels by 2022 and maintain or reduce net aggregate energy consumption levels equivalent to the 2022 (Green Vision) level through 2040. (Reduce Consumption and Increase Efficiency Goal MS-14)
 - Replace 100% of the City's traffic signals and streetlights with smart, zero emission lighting by 2022. (Reduce Consumption and Increase Efficiency Action MS-14.6)

- Measure annually the shares of the City's total Carbon Footprint resulting from energy use in the built environment, transportation, and waste management. (Reduce Consumption and Increase Efficiency Action MS-14.7)
- Receive 100% of electrical power from clean renewable sources (e.g., solar, wind, hydrogen) by 2022 and to the greatest degree feasible increase generation of clean, renewable energy within the City to meet its energy consumption needs. (Renewable Energy Goal MS-15)
- Facilitate the installation of at least 100,000 solar roofs in San José by 2022 and at least 200,000 solar roofs by 2040. (Renewable Energy Policy MS-15.3)
- Document green building new construction and retrofits as a means to show progress towards the Green Vision Goal of 50 million square feet of green buildings in San José by 2022 and 100 million square feet by 2040. (Green Building Policy Leadership Action MS-1.8)
- Divert 100% of waste from landfills by 2022 and maintain 100% diversion through 2040. (Waste Diversion Goal MS-5)
- Work with stakeholders to establish additional landfill gas-to-energy systems and waste heat recovery by 2012 and prepare an ordinance requiring such action by 2022 for Council consideration. (Environmental Leadership and Innovation Action MS-7.12)
- Develop a schedule to discontinue the use of disposable, toxic or nonrenewable products as outlined in the United Nations Urban Environmental Accords. City use of at least one such item shall be discontinued each year throughout the planning period. In the near-term, staff will monitor the regulation of single-use carryout bags to ensure that their use in the City is reduced by at least 50%, or shall propose enhanced regulation or an alternate product. Staff will evaluate all such products for regulation or for use in energy recovery processes and shall recommend such regulations as are necessary to eliminate landfilling such products in the long-term (2022-2040). (Environmental Leadership and Innovation Action MS-7.13)
- Prepare an ordinance for Council consideration by 2012 that would enact regional landfill bans during the near- and mid-terms for organic material such as food waste and yard trimmings that contribute to methane generation in landfills. (Environmental Stewardship Action MS-8.8)
- Continue to increase the City's alternative fuel vehicle fleet with the co-benefit of reducing local air emissions and continue to implement the City's environmentally Preferable Procurement Policy (Council Policy 4-6) and Pollution Prevention Policy (Council Policy 4-5) in a manner that reduces air emissions from municipal operations. Continue to support policies that reduce vehicle use by City employees. (Air Pollutant Emission Reduction Action MS-10.12)
- Quantitatively track the City's education program on the public use of water. Adjust the program as needed to meet General Plan goals. (Responsible Management of Water Supply MS-17.6)

- Continuously improve water conservation efforts in order to achieve best in class performance. Double the City's annual water conservation savings by 2040 and achieve half of the Water District's goal for Santa Clara County on an annual basis. (Water Conservation Goal MS-18)
- Reduce residential per capita water consumption by 25% by 2040. (Water Conservation Policy MS-18.4)
- Achieve by 2040, 50 Million gallons per day of water conservation savings in San José, by reducing water use and increasing water efficiency. (Water Conservation Policy MS-18.5) Use the 2008 Water Conservation Plan as the data source to determine the City's baseline water conservation savings level. (Water Conservation Policy MS-18.6)
- Recycle or beneficially reuse 100% of the City's wastewater supply, including the indirect use of recycled water as part of the potable water supply. (Water Recycling Goal MS-19)
- Develop performance measures for tree planting and canopy coverage which measure the City's success in achieving the Community Forest goals. These performance measures should inform tree planting goals for the years between 2022 (the horizon year for the Green Vision) and 2040. (Community Forest Action MS-21.16)
- Track progress towards achieving at least 25,000 new Clean Technology jobs by 2022. Track progress towards achieving at least 70,000 new clean tech jobs by the year 2040 or achieving 10% of the City's total jobs in Clean Technology by the year 2040. (Clean Technology Action IE-7.9)
- Develop a trail network that extends a minimum of 100 miles. (Trail Network Measure TN-2.12)
- Provide all residents with access to trails within 3 miles of their homes. (Trail Network Measure TN-2.13)

Action

- IP-3.9 To facilitate implementation of greenhouse gas reduction measures as part of development review, adopt a City Council Policy that guides analyses and determinations regarding the conformance of proposed development with the City's adopted Greenhouse Gas Emission Reduction Strategy.

General Plan Annual Review Hearing Process

Goal IP-4 – General Plan Annual Review Hearing Process

Conduct regular open General Plan hearings that provide opportunities for involvement of the community, stakeholders and private property owners, pursuant to State law.

Policies – General Plan Annual Review Hearing Process

- IP-4.1 Conduct General Plan Review hearings to consider proposed amendments to the General Plan only once per year, beginning in 2013, to facilitate a comprehensive review of the cumulative implications of proposed amendments.

- IP-4.2 Use the General Plan Amendment process to respond to changing conditions and community needs. The City, private property owners, developers, community groups, and individuals may request changes to planned land uses, or propose changes to its text.
- IP-4.3 Engage the San José community to participate in the General Plan Review and Amendment Process through meetings to inform them about Amendment proposals, through ongoing community notification through various media, as well as through formal public hearings before the Planning Commission and City Council.
- IP-4.4 Analyze proposed General Plan Amendments based on the merits of individual proposals as well as in the context of cumulative trends and consistency with the General Plan Vision and City Design Concepts.
- IP-4.5 Provide to the Planning Commission and City Council a summary of major policy issues and the cumulative effects of proposed changes during every General Plan hearing.
- IP-4.6 In reviewing major land use or policy changes, consider the availability of police and fire protection, parks and recreation and library services to the affected area as well as the potential impacts of those changes on existing service levels.
- IP-4.7 Use General Plan Annual Review hearings to update the Land Use/Transportation Diagram designations to reflect changes in land uses, zoning, or ownership that create long-term parks, trails, open space, or habitat lands or identified dedicated riparian setback areas.
- IP-4.8 Use the General Plan Annual Review hearings to engage and inform the community of progress made on direct and indirect greenhouse gas emission reduction associated with the built environment (e.g., energy efficiency and water conservation) and transportation (reduced single occupancy vehicle miles travelled) and to evaluate possible new amendments to General Plan policies and/or the City Council Greenhouse Gas Reduction Policy based upon new technologies or information on effective greenhouse gas reduction measures.

Urban Village Planning

Development of vibrant, walkable, mixed-use urban communities, or Urban Villages, at strategic locations throughout the City is key to achieving planned jobs and housing growth in a form consistent with the Vision of this General Plan. When new jobs and housing are concentrated within specific Village areas, important density is established and provides an opportunity for a mix of uses, with retail, services and other commercial uses in close proximity to both residents and worker populations. Urban Villages allow people to walk rather than drive to shops and

services, providing greater mobility for the expanding senior and youth segments of the population, and reducing traffic and other environmental impacts.

Goal IP-5 – Urban Village Planning

Use new proposals for residential, mixed use, or employment development to help create walkable and bicycle-friendly “Urban Villages” (also referred to as “Villages” within this General Plan) at strategic locations throughout the City, and to enhance established neighborhoods. In new Village development, integrate a mix of uses including retail shops, services, employment opportunities, public facilities and services, housing, places of worship, and other cultural facilities, parks and public gathering places.

Policies – Urban Village Planning

IP-5.1 Prepare a comprehensive Urban Village Plan prior to the issuance of entitlements for residential development within any of the Urban Village areas identified on the Land Use / Transportation Diagram. Commercial projects, including those with ancillary residential uses, and “Signature Projects”, as defined in Policy IP-5.10, may proceed in advance of the preparation of a Village Plan. Use the Village Plan to clearly address:

1. **Job and Housing Growth Capacity:** Identify suitable areas for retail and other employment uses, giving careful consideration to existing and future demand for retail space, the appropriate location and design of retail spaces, opportunities for large-scale and small-scale retail uses, and adequate and appropriate sites for other employment uses consistent with the total planned job capacity for the particular Growth Area.
Identify suitable areas for residential development, capable of supporting the full amount of planned residential growth capacity. Apply corresponding Land Use / Transportation Diagram or zoning designations to support the proposed employment and residential density ranges.
2. **Urban Village Boundaries and Land Uses:** Identify potential adjustments to the identified Urban Village Boundaries and potential modifications to the Land Use / Transportation Diagram as necessary to best utilize existing land use growth capacity, address neighborhood context, and promote economic development through the identification of optimal sites for retail and other employment uses. Provide adequate job growth capacity for retail, office and other employment uses to accommodate both the existing levels of activity plus the planned amount of growth for each job type category. Identify and designate existing land uses within the Urban Village Area boundaries, if any, which should be retained rather than made available for redevelopment. Match the planned land uses for any areas within the Urban Village Area which have already been addressed through an overlapping Urban Village plan.

3. **Building Heights and Densities:** Identify for specific properties within the Village Planning area minimum and maximum thresholds for building heights and densities. These standards should fall within the broader ranges established in the Land Use / Transportation Diagram and be consistent with planned job and housing growth capacity for that Village area. Implement these standards through the Zoning process prior to development of new residential or mixed-use, residential projects.
4. **Infrastructure:** Identify locations for parks, plazas, public and quasi-public open spaces, and sites to potentially incorporate libraries, public safety facilities and other public uses, along with other infrastructure needs. A Village Plan should also consider the adequacy of public and private utilities to serve the planned growth capacity.
5. **Urban Character:** Include streetscape and building frontage design, pedestrian facility improvements and other urban design actions necessary to successfully implement the Village concept.
6. **Greenhouse Gas Reduction/Sustainability:** Identify locations of existing and planned transit and pedestrian and bicycle facilities and include design and implementation measures necessary to meet City goals for vehicle miles travelled (VMT) reduction and greenhouse gas (GHG) emission reductions.
7. **Financing:** Consider financing mechanisms which may be needed to deliver public improvements, amenities, and the like envisioned within the Urban Village Plan.
8. **Implementation:** Consider the establishment of phasing triggers or other implementation tools for specific land use changes within the context of the Urban Village Plan to support achievement of the Urban Village Plan goals consistent with other General Plan goals and policies so that implementation of the Urban Village Plan over time will consistently provide sufficient capacity for a number of jobs equal to planned new job growth capacity plus maintenance of existing job capacity.

IP-5.2 Develop and use an Urban Village Planning process so that each Urban Village Plan can be successfully completed within an approximately nine month planning period, followed by completion of environmental review as required for adoption of the Plan. Engage Urban Village area property owners to the fullest extent possible, along with representatives of adjacent neighborhood areas, potential developers and other stakeholders in the Urban Village Planning process.

IP-5.3 Preparation of an Urban Village Plan is not necessary for the Downtown, North San Jose and Specific Plan Areas which have plans and strategies previously developed through a community planning process.

- IP-5.4 Prepare and implement Urban Village Plans carefully, with sensitivity to concerns of the surrounding community, and property owners and developers who propose redevelopment of properties within the Urban Village areas. Proceed generally in the order of the following timeline, although some steps may be taken concurrently:
1. City Council approves commencement of the Plan growth Horizon which includes the Urban Village Area during a Major General Plan Review. Completing Urban Village Plans for Urban Villages within the current Horizon is of greatest priority, but it is possible to prepare an Urban Village Plan for an Urban Village in an upcoming Horizon.
 2. The City completes preparation of and Council reviews an Urban Village Plan.
 3. The City or private property owners initiate rezoning for specific properties within the Urban Village as needed to implement the Urban Village Plan. Because most Urban Village sites initially have commercial zoning, rezoning will be necessary to provide for redevelopment and intensification with residential or residential mixed use projects on those sites.
 4. Private property owners or developers propose individual site designs and building architecture to be reviewed and determined through a Development Permit application and review process.
- IP-5.5 Employ the Urban Village Planning process to plan land uses that include adequate capacity for the full amount of planned job and housing growth, including identification of optimal sites for new retail development and careful consideration of appropriate minimum and maximum densities for residential and employment uses to insure that the Urban Village Area will provide sufficient capacity to support the full amount of planned job growth under this Envision Plan.
- IP-5.6 Identify smaller, distinctive sub-areas within overall Urban Village boundaries to reflect the potential for incremental development of an Urban Village over many years. Identify a mix of land uses, accommodating proportional shares of both job and housing growth capacity, for each sub-area.
- IP-5.7 Carefully consider the best land uses and urban design standards for properties located along an Urban Village periphery to minimize potential land use conflicts with adjacent properties. In particular, address interfaces with established single-family Residential Neighborhood areas.
- IP-5.8 Develop a transportation element for the Urban Village Plan, which addresses:
1. The need for new roadways or paseos to provide additional capacity for internal vehicle and pedestrian circulation and to support intensification of the adjoining properties.

2. Incorporate requirements for new infrastructure necessary to successful implementation of the Urban Village Plan, such as safe and convenient pedestrian connections to nearby transit facilities. Such new infrastructure should be planned and have secured financing prior to constructing new residential development within the Village area.

IP-5.9 Upon completion of an Urban Village Plan, update the Land Use / Transportation Diagram for the Village area to depict major new land use features established within the Village Plan, such as parks, residential mixed-use, commercial mixed-use, and employment uses. Indicate on the Diagram that the Urban Village Plan process has been completed.

IP-5.10 Non-residential development may proceed within Urban Village areas in advance of the preparation of an Urban Village Plan. In addition, residential, mixed-use “Signature” projects may also proceed ahead of preparation of a Village Plan. A Signature project clearly advances and can serve as a catalyst for the full implementation of the General Plan Urban Village strategy. Signature projects may be developed within an Urban Village designated as part of the current Plan Horizon, or in a future Horizon Urban Village area by making use of the residential Pool capacity. Residential, mixed-use Signature projects may proceed within Urban Village areas in advance of the preparation of an Urban Village Plan if they fully meet the following requirements:

1. Conform to the Land Use / Transportation Diagram. Within the Urban Village areas, Signature projects are appropriate on sites with an Urban Village, residential, or commercial Land Use / Transportation Diagram designation.
2. Incorporate job growth capacity above the average density of jobs/acre planned for the developable portions of the entire Village Planning area and, for portions of the Signature project that include housing, those portions incorporate housing density at or above the average density of dwelling units /acre planned for the entire Village Planning area.
3. Is located at a visible, prominent location within the Village so that it can be an example for, but does not impose obstacles to, subsequent other development within the Village area.

Additionally, the proposed Signature project will be reviewed for substantial conformance with the following objectives:

4. Includes public parklands and/or privately maintained, publicly-accessible plazas or open space areas.
5. Achieves the pedestrian friendly design guideline objectives identified within this General Plan.
6. Is planned and designed through a process that provided a substantive opportunity for input by interested community members.
7. Demonstrates high-quality architectural, landscape and site design features.
8. Is consistent with the recommendations of the City’s Architectural Review Committee or equivalent recommending body if the project is subject to review by such body.

- IP-5.11 New employment development with an incidental amount of residential use (e.g. 3 or fewer residential units) may proceed within an Urban Village area in advance of the preparation of an Urban Village Plan.

Action – Urban Village Planning

- IP-5.12 Develop Urban Village Plans for Village areas identified for housing growth in the current Horizon proactively, ahead of developer demand to begin residential development there. Actively pursue outside funding opportunities for the Village planning process.

Capital Improvement Program

The City's Five Year Capital Improvement Program (C.I.P.) indicates the schedule and anticipated funding for investment and construction of public infrastructure projects. Construction of these public facilities and infrastructure is a critical component of the City's development, consistent with the goals and policies contained within this General Plan. The C.I.P. is the primary tool linking the application of City resources with new development to implement the General Plan.

Goal IP-6 – Capital Improvement Program

Use the City's Five Year Capital Improvement Program (C.I.P.) to implement the construction of public facilities and infrastructure needed to meet the community's needs consistent with achievement of General Plan goals and policies.

Policies – Capital Improvement Program

- IP-6.1 Align the C.I.P. with General Plan Land Use / Transportation Diagram planned land uses and densities and with its policies, including level of service goals. Use the Land Use / Transportation Diagram, including the Planning Horizons, to determine C.I.P. investment and construction priorities and to plan and design the capacity of public facilities necessary to meet their anticipated demand.
- IP-6.2 Through an annual review of the C.I.P., identify priority capital improvement projects to serve existing or nearer term planned urban development. Implement these projects through Annual Capital Improvement Budget.
- IP-6.3 Engage the community and Planning Commission in early stages of the C.I.P. preparation to gather additional input on how it can be used to implement the General Plan.
- IP-6.4 Use the C.I.P. as a financial and physical planning document. Plan the construction of improvements to occur in a logical order which prevents unnecessary duplication or inefficiency. Schedule and coordinate infrastructure projects over multiple years as necessary to achieve cost efficiency. (For example, scheduling street improvements to follow installation of sewers and water mains is more efficient and more likely to avoid conflicts than scheduling these improvements independently.)

- IP-6.5 Use the C.I.P. to enable implementation of General Plan goals and policies, including those for fiscal sustainability, economic development and environmental stewardship. (For example, to implement the General Plan goal to increase economic development, the C.I.P. can identify those public improvements which are most likely to maintain and attract industry. To implement the City's Greenline strategy, City purchase of key parcels to assure preservation of larger open space areas may be proposed.)
- IP-6.6 Use the C.I.P. to implement growth strategies in this General Plan by locating and programming public facilities and infrastructure in areas where development is planned and by delaying improvements until needed in areas where development is restricted.

Land Use Entitlement Process

The primary elements of the Development Review process include: specific plans, zoning, subdivision, environmental review, annexation, site and architectural review, building permits and citizen participation. In addition, the City Council Level of Service Policies for transportation, sewers and the Water Pollution Control Plant implement those same policies in this General Plan and control the rate and amount of new development which is allowed. Community engagement and citizen participation components of the Development Review process include public hearings which are incorporated into all those phases of the process that involve the issuance of discretionary permits by the City. Community meetings are also a vehicle for public participation and are held whenever warranted by the nature of a project or the level of public interest.

Specific Plans

The City Council adopted an ordinance and a policy which establish procedures for creation and administration of specific plans as well as the process and criteria for developing specific plans. Both the ordinance and policy identify who may initiate a specific plan, the types of properties or areas that might be suitable for a specific plan, and the nature of the obstacles to be overcome that warrant use of a specific plan as the appropriate planning tool. The process for funding and preparing specific plans is also discussed in both the ordinance and the policy. The specific plan process is complex and requires a substantial commitment of time and of public and/or private funds and, therefore, should be used only when the benefits warrant the cost.

Goal IP-7 – Specific Plans

Use the specific plan process to allow for more detailed planning of a specific geographic area. This approach ensures that the development will proceed according to specific use, design, phasing, and financing provisions tailored to the circumstances of that area.

Policies – Specific Plans

- IP-7.1 Specific plans may vary in detail ranging from a level of analysis consistent with General Plan review and policy direction to the planned Development zoning level which contains detailed development standards.

- IP-7.2 Use specific plans to coordinate the development of properties in a large area under multiple ownerships. This approach helps to avoid the problems associated with piecemeal development and allows property owners and the City to resolve complex development problems in a cooperative manner.
- IP-7.3 Integrate specific plans into this General Plan to help ensure consistency with the goals and policies of the Plan and to give General Plan support to objectives of the specific plan. Specific plans can only be incorporated into the General Plan through the General Plan Amendment process but not necessarily through the General Plan Annual Review. Revisions to adopted specific plans, however, may occur only during the General Plan Annual Review process.
- IP-7.4 Specific plans are typically incorporated into the General Plan as Planned Residential Communities or Planned Communities.
- IP-7.5 Implementation of specific plans is usually accomplished through the rezoning and site development entitlement processes.

Zoning

The zoning process consists of rezoning lands within the incorporated City limits or the pre-zoning of property proposed for annexation from one zoning district to another.

Goal IP-8 – Zoning

Use rezoning of property to directly implement the land use designations as shown on the Land Use/Transportation Diagram. By City Council policy, the rezoning of property should ordinarily conform to the General Plan.

Policies - Zoning

- IP-8.1 With participation by various City departments, conduct a review of zoning applications for consistency with City Council and General Plan policy as well as to identify specific public improvements and requirements such as streets, storm and sanitary sewers, fire hydrants and street lights. Incorporate review by other public agencies in the zoning process.
- IP-8.2 Use the City's conventional zoning districts, contained in its Zoning Ordinance, to implement the General Plan Land Use / Transportation Diagram. These districts include a range of allowed land uses, development intensities, and standards within major land use categories (residential, commercial and industrial) together with zoning districts for other land uses such as mixed-use and open space. The various ranges of allowed use and development intensity correspond generally to the respective General Plan land use designations, while providing greater detail as to the appropriate land uses and form of development.

- IP-8.3 For the review of privately or public initiated rezoning applications, consider the appropriateness of the proposed zoning district in terms of how it will further the General Plan goals and policies as follows:
1. Align with General Plan Land Use / Transportation Diagram designations.
 2. Retain or expand existing employment capacity.
 3. Preserve existing retail activity.
 4. Avoid land use incompatibilities.
 5. Implement General Plan goals and policies including those for Urban Design.
 6. Support higher density land uses consistent with the City's transition to a more urban environment.
 7. Facilitate the intensification of Villages and other Growth Areas consistent with the goal of creating walkable, mixed-use communities.
 8. Address height limits, setbacks, land use interfaces and other design standards so as to provide for sensitive intensification of land uses adjacent to already developed areas.
- IP-8.4 Within Urban Village areas, review rezoning actions for consistency with applicable Urban Village Plans. Align the location, density and form of new residential or residential mixed-use development with standards established within the applicable Urban Village Plan or consistent with the requirements for Signature projects or ancillary residential development as provided for in the General Plan.
- IP-8.5 Use the Planned Development zoning process to tailor such regulations as allowed uses, site intensities and development standards to a particular site for which, because of unique circumstances, a Planned Development zoning process will better conform to General Plan goals and policies than may be practical through implementation of a conventional Zoning District. These development standards and other site design issues implement the design standards set forth in this General Plan and design guidelines adopted by the City Council. The second phase of this process, the Planned Development permit, is a combined site/architectural permit and conditional use permit which implements the approved Planned Development zoning on the property.

Action

- IP-8.6 Update the Zoning Ordinance to provide Zoning Districts that:
1. Provide a greater level of detail for the desirable physical form of a district, including building heights, setbacks, interfaces with adjoining uses, and streetscape treatment, thereby establishing a relationship between building form and land use with street typology.
 2. Further implement land use concepts and the goals and policies established within this General Plan, including those for Urban Design.
 3. Support higher density land uses consistent with the City's transition to a more urban environment.

4. Facilitate the intensification of Villages and other Growth Areas consistent with the goal of creating walkable, mixed-use communities.
5. Address height limits, setbacks, land use interfaces and other design standards so as to provide for the intensification of land uses adjacent to already developed areas.

Subdivision

The subdivision process directly implements the General Plan by regulating the subdividing of property. The State Subdivision Map Act requires that all subdivisions be consistent with a jurisdiction's General Plan.

Goal IP-9 – Subdivision

Use the Subdivision process to implement the General Plan goals and policies.

Policy - Subdivision

- IP-9.1 Use the subdivision process to identify specific infrastructure improvements necessary to ensure that intensification of land use will be consistent with General Plan Level of Service policies.

Site Development

Goal IP-10 – Site Development

Use the Site Development permit process to implement the General Plan goals and policies.

Policies – Site Development

- IP-10.1 The Site Development permit process requires site and architectural review of all new development and redevelopment in the conventional zoning districts with the exception of single family residential uses.
- IP-10.2 The Site Development permit process implements both the appropriate zoning district development restrictions as well as appropriate General Plan policies. Design guidelines (including for greenhouse gas reduction), adopted by the City Council, provide specific design standards for architectural and site review.
- IP-10.3 In addition to a Site Development permit, an Historic Preservation permit is required for modifications to a designated Historic Landmark structure. This permit process fosters the implementation of Historic Preservation goals and policies of this General Plan.
- IP-10.4 Within Urban Village areas, review Site Development permits for consistency with applicable Urban Village Plans. Align the location, density and form of new residential or residential mixed-use development with standards established within the applicable Urban Village Plan or consistent with the requirements for Signature projects or ancillary residential development as provided for in the General Plan.

Annexations

Goal IP-11 – Annexations

Further this Plan's goals and policies by controlling the incorporation of land within the City's municipal boundary through the annexation process.

Policy – Annexations

- IP-11.1 Carefully consider the implications for both the City and the affected properties of proposed annexations related to achievement of the City's Level of Service goals, since annexation signifies the acceptance of responsibility to provide a wide range of necessary municipal facilities and services.

Environmental Clearance

Mandated by the California Environmental Quality Act (CEQA), the City's Environmental Clearance process can play a crucial role in the implementation of many policy areas of this General Plan. The City's Environmental Clearance Ordinance, adopted in compliance with CEQA, requires environmental clearance of all discretionary permits issued by the City, most public works projects, and all amendments proposed for this General Plan.

Goal IP-12 – Environmental Clearance

Use the Environmental Clearance process to further implement General Plan goals and policies related to the minimization of environmental impacts, improving fiscal sustainability and enhancing the delivery of municipal services.

Policies – Environmental Clearance

- IP-12.1 Conform to the requirements of the California Environmental Quality Act as it relates to land use decisions and the implementation of this General Plan.
- IP-12.2 When potentially significant environmental effects of a project are identified, the preparation of an Environmental Impact Report will be required in order to analyze in depth those impacts and to develop mitigation measures which can be incorporated into the project to minimize or avoid them.
- IP-12.3 Use the Environmental Clearance process to identify potential impacts and to develop and incorporate environmentally beneficial actions, particularly those dealing with the avoidance of natural and human-made hazards and the preservation of natural, historical, archaeological and cultural resources.
- IP-12.4 Use the Environmental Clearance process to facilitate the implementation of the facilities and services goals and policies of the General Plan. The review of proposed development includes the analysis of the project's compliance with the Plan's Level of service policies for transportation, sanitary sewer and Water Pollution Control Plant capacity.

- IP-12.5 As part of the Environmental Clearance process, further this Plan's goals and policies through the review required for proposed public works capital improvement projects. All such projects must be identified in the Capital Improvement Program and should be consistent with this General Plan. These criteria are verified through the identification of the nature, scope and intent of the proposed project in its environmental document.

Building Permits

The Building Permit process is the final phase in the Development Review process. Building permits are ministerial in nature, requiring no public hearing or review process.

Goal IP-13 – Building Permits

Use building permits to implement the approved site and architectural design for a project, as required by either the Site Development or Planned Development permit processes.

Policy – Building Permits

- IP-13.1 Use the Building Permit process to implement the Natural Hazards and Safety goals and policies of this General Plan by requiring compliance with the California Building Code standards for building design. San Jose also enforces a Dangerous Buildings Ordinance which requires the repair or demolition of buildings found to be structurally unsafe. A Geologic Hazards Clearance is required for construction projects located in areas with potentially sensitive or hazardous geological conditions, such as the hillsides.
- IP-13.2 Use the Building Permit process to implement the Measurable Sustainability goals and policies of this General Plan by requiring compliance with Green Building Ordinance standards for energy efficiency and water conservation.

Citizen Participation and Community Engagement

This Plan's Community Engagement goals and policies encourage community members to broadly participate in local government decision-making. As the City proceeds with implementation of this General Plan, the Village Planning or other planning efforts as well as the discretionary portions of the Development Review process can provide multiple opportunities for community engagement.

Goal IP-14 – Citizen Participation and Community Engagement

Provide a range of meaningful opportunities for community engagement throughout the course of General Plan implementation activities.

Policies – Citizen Participation and Community Engagement

- IP-14.1 Maintain and implement the Outreach Policy and other policies to provide a wide variety of opportunities for education and engagement in the City's land use planning and development review activities for a broad and diverse range of community members.

- IP-14.2 Conduct public hearings as part of the discretionary land use entitlement process as set forth in the Zoning Ordinance. All phases of the Development Review process, with the exception of Building Permits, include public hearings and noticing requirements.
- IP-14.3 When development projects within a Village Area are being processed concurrently with the preparation of a Village Plan, coordinate community meetings or other community engagement activities for the project and Village Planning process.
- IP-14.4 Provide opportunities for engagement in the planning process through community meetings during the Annual and Major Reviews of the General Plan and for other projects that warrant such attention.
- IP-14.5 As needed for special planning initiatives of broad community interest, employ task forces or committees to provide additional opportunities for community engagement.
- IP-14.6 Encourage project developers to consult with neighborhood groups early in the development review process to resolve potential differences before the public hearing process begins.

Development Fees, Taxes, and Improvement Requirements

New growth and development add to the service and facility requirements of the City and other public agencies. Additional demand for ongoing services is financed by the operating revenues paid by new as well as existing development. Normal municipal revenues may be insufficient to cover the costs of the new facilities needed to provide services for new development.

Goal IP-15 – Development Fees, Taxes, and Improvement Requirements

New development should finance capital and facility needs and contribute toward their ongoing operation and maintenance, consistent with the General Plan service and facility goals and policies.

Policies – Development Fees, Taxes, and Improvement Requirements

- IP-15.1 New development is required to construct and dedicate to the City all public improvements directly attributable to the site. This includes neighborhood or community parks and recreation facilities, sewer extensions, sewer laterals, street improvements, sidewalks, street lighting, fire hydrants and the like. In the implementation of the level of service policies for transportation, sanitary sewers, and neighborhood and community parks, development is required to finance improvements to nearby intersections or downstream sewer mains in which capacity would be exceeded, and dedicate land, pay an in lieu fee or finance improvements for parks and recreation needs which would result from the development.

IP-15.2 To finance the construction and improvement of facilities and infrastructure systems for which the demand for capacity cannot be attributed to a particular development, impose a series of taxes through which new growth collectively finances those facilities and systems. These taxes are over and above cost-recovery fees charged for processing and reviewing applications for development approvals and permits.

Examples of development taxes include:

1. Construction Tax and the Conveyance Tax (the latter paid in connection with any transfer of real property, not just new development) provide revenue for parks, libraries, library book stock, fire stations, maintenance yards and communications equipment.
2. The Building and Structures Tax and Commercial/Residential/Mobilehome Park Tax provide revenue for the construction of San José's major street network.
3. Connection Fees provide revenue for the construction of storm sewers, sanitary sewers and expansions of sewage treatment capacity at the Water Pollution Control Plant.

Fees and taxes may need to be adjusted from time to time to reflect changing costs and new requirements. Additionally, new fees or taxes may need to be imposed to finance other capital and facility needs generated by growth. Where possible, if a developer constructs facilities or infrastructure for which these taxes are imposed, the developer may be provided with corresponding credits against the applicable taxes or fees.

IP-15.3 A variety of techniques may be used by the City to advance funds for construction, operation and maintenance of facilities and infrastructure necessitated by new development. These techniques may include assessment districts and agreements or other methods by which the City requires reimbursement of funds advanced. The City may provide for deferral of assessment payments in certain circumstances to encourage particular parcels to remain undeveloped or underdeveloped.

Implementation of the General Plan by Other Agencies

This General Plan should also be used as a policy tool to inform and guide the decision making process of other agencies when making decisions related to development within San Jose's sphere of influence. The following implementation goals and policies address instances where the General Plan should be applied by such agencies.

Goal IP-16 – Implementation of the General Plan by Other Agencies

Engage other agencies in the implementation of San José's General Plan in order to achieve its goals and policies.

Policies – Implementation of the General Plan by Other Agencies

IP-16.1 Other public agencies and utility companies should consider the General Plan goals and policies and Land Use / Transportation Diagram in planning the delivery of services to San José residents and businesses.

- IP-16.2 Because the Santa Clara County General Plan does not include a land use plan for the territory within San José's Urban Service Area, any development taking place on unincorporated lands therein should conform to and be of use and density which is compatible with the City's General Plan.
- IP-16.3 Where determination of consistency, compatibility or conformance of any proposal with this General Plan depends on an exercise of discretion, such discretion is solely within the purview of the City of San José. Any agency proposing to apply the provisions of this General Plan to a proposal can seek a determination of such consistency, compatibility or conformance by filing a written request with the Director of Planning of the City of San José.

Environmental Leadership / Stewardship

Although directly expressed in goals and policies related to Environmental Leadership and within the Land Use / Transportation Diagram, the themes of Environmental Leadership and Environmental Stewardship, in fact, inform most aspects of this General Plan. As this is a key concern, San Jose has a well established culture of undertaking various initiatives to promote its role as a national leader on environmental issues. The City's Green Vision and Climate Action Plan are two such policy initiatives which closely relate to this General Plan and serve as its near-term implementation tools.

Goal IP-17 Environmental Leadership / Stewardship

Use the City's Green Vision and other special environmental policy documents as General Plan Implementation tools to further the City's Environmental Leadership role.

Policies – Environmental Leadership / Stewardship

- IP-17.1 Use San Jose's adopted Green Vision as a tool to advance the General Plan Vision for Environmental Leadership. San Jose's Green Vision is a comprehensive fifteen-year plan to create jobs, preserve the environment, and improve quality of life for our community, demonstrating that the goals of economic growth, environmental stewardship and fiscal sustainability are inextricably linked. Adopted in 2007, San José's Green Vision establishes the following Environmental Leadership goals through 2022:
1. Create 25,000 Clean Tech jobs as the World Center of Clean Tech Innovation; Innovation is a key element to achieving nearly all of the Green Vision Goals. As innovations are developed and clean technologies are utilized, San José and all of Silicon Valley will benefit from the emerging economic opportunities and a cleaner way to live, work and play.
 2. Reduce per capita energy use by 50 percent; As a global leader in innovative technologies and policies, the state of California and the City of San José, in particular, have the opportunity to demonstrate to the world that communities and their economies can thrive while significantly reducing energy consumption.

3. Receive 100 percent of our electrical power from clean renewable sources; The liabilities of fossil fuel usage are increasingly plain; in contrast, pursuing electrical power from clean, renewable sources is projected to reduce harmful air pollutants, long-term operating costs, and carbon emissions for the entire community.
4. Build or retrofit 50 million square feet of green buildings. An estimated 40 percent of the community's total energy use and 16 percent of its water goes to buildings. Several efforts are underway to increase the square footage of green building space in the San José in both public and private buildings.
5. Divert 100 percent of the waste from our landfill and convert waste to energy; Although the City has one of the highest waste diversion rates of any large city in the nation, many waste reduction opportunities remain. If San José and other local cities achieve no further waste reduction efforts over the next 15 years, solid waste landfill space in the region could reach capacity.
6. Recycle or beneficially reuse 100 percent of our wastewater (100 million gallons per day); Protecting the South Bay and its eco-system is critical to the environmental and economic viability of the region. We must lead by example, not only by maximizing water conservation efforts, but by increasing the quantity of recycled water we produce and distribute.
7. Adopt a General Plan with measurable standards for sustainable development; The blueprint for the future growth of San Jose is outlined in the City's General Plan. We must continue to lay a foundation for the future by clearly establishing sustainable development standards in our General Plan.
8. Ensure that 100 percent of public fleet vehicles run on alternative fuels; In Santa Clara County, more than 40 percent of our greenhouse gas emissions come from cars, trucks, buses, trains, and other transport. Thus, we must create an integrated and sustainable system to get us from place to place.
9. Plant 100,000 new trees and replace 100 percent of our streetlights with smart, zero emission lighting; With an integrated approach, planting 100,000 new trees and replacing all of the City's streetlights with smart, zero emission lights, will help the San José "green" its transportation system--to create an integrated, sustainable system that consumes less energy, protects the environment, and accommodates growth in a manner that enhances the City's quality of life.
10. Create 100 miles of interconnected trails; Expanding our system of park trails to 100 miles will allow residents to travel more easily by bicycle or on foot, as well as encourage exploration and education about our natural habitat so residents better understand the benefits of a healthy environment and value its preservation.

- IP-17.2 Develop and maintain a Greenhouse Gas Reduction Strategy or equivalent policy document as a road map for the reduction of greenhouse gas emissions within San Jose, including those with a direct relationship to land use and transportation. The Greenhouse Gas Reduction Strategy identifies the specific items within this General Plan that contribute to the reduction of greenhouse gas emissions and considers the degree to which they will achieve its goals. The General Plan and Land Use / Transportation Diagram contain multiple goals and policies which will contribute to the City's reduction of greenhouse gas emissions, including a significant reliance upon new growth taking place in a more compact urban form that facilitates walking, mass transit, or bicycling.
- IP-17.3 Actively participate in the development of a Sustainable Community Strategy and/or other regional environmental policies that are consistent with San Jose's goals for Environmental Leadership as well as the other goals and policies contained within this General Plan.
- IP-17.4 Report on the City's achievement of environmental goals and consistency with State or Regional environmental requirements as part of the General Plan Annual Review and Major Review processes.

Economic Development

This General Plan contains ambitious job growth goals and through its Land Use / Transportation Diagram provides planned job capacity Citywide for the attainment of approximately 840,000 jobs. It also contains numerous policies intended to support this level of job growth for the economic and fiscal sustainability of our City and its residents and businesses.

San Jose's Redevelopment Area programs play a significant role in support of economic development, primarily through assistance with land acquisition and the construction of infrastructure to support new commercial and industrial development. The resulting economic development, in turn, provides both new jobs and increased tax revenues which support the provision of City services for all residents, furthering General Plan goals and policies for fiscal sustainability and the provision of adequate services and facilities. The City's redevelopment projects include industrial redevelopment areas in North San José, Central and South San José. In addition, there are several different redevelopment areas in the Downtown Core designed to support the revitalization of blighted areas and generate new office, retail, hotel and convention facilities.

The City has established a Central Incentive Zone designed to attract economic and residential development to the Downtown area, beyond the boundaries of the formal redevelopment areas. Developers of projects inside the approximately five square mile zone receive significant one-time construction tax exemptions from the City.

The following implementation tools are also integral to the General Plan Vision for an Innovative Economy.

Goal IP-18 – Economic Development

Develop and utilize economic development programs to implement the Land Use / Transportation Diagram and General Plan Goals, Policies and Implementation Actions related to job growth, fiscal sustainability, and economic development.

Policies – Economic Development

- IP-18.1 Within the Central Incentive Zone, suspend taxes for qualifying commercial and industrial projects and residential developments of dwellings with four units or more, including both new construction and/or rehabilitation of existing structures. Exempted taxes include: 1) Construction Tax, 2) Residential Construction Tax, 3) Building and Structures Tax, and 4) Commercial/ Residential/ Mobilehome Park Building Tax.
- IP-18.2 Provide economic development incentive funding for the construction of the major infrastructure necessary to support commercial and industrial development within designated Redevelopment Areas.
- IP-18.3 Use tax increment revenues to directly benefit the greater community through the funding of various infrastructure improvements outside of designated Redevelopment Areas but which directly support economic development within the Area.
- IP-18.4 As resources are available, operate various business assistance programs, such as International Trade Assistance, Entrepreneurial Assistance and Small Business Ambassador programs, in order to provide information and expedited entitlement services to qualifying businesses.

Housing Development

The Land Use / Transportation Diagram and the Housing goals and policies contained in this General Plan, in concert with its other Goals, Policies and Implementation Actions, are intended to address several concerns related to the supply of housing within San Jose and the region. These concerns are closely related, so that one strategy may address multiple objectives. At the same time, housing supply is a regional issue for Santa Clara County and the Bay Area. Without a cooperative regional approach, San Jose will not be able to fully meet its housing, economic development, and fiscal sustainability goals. By providing adequate housing growth capacity at strategic locations, San José will do its part to address the concerns of housing affordability, reducing commute demand by providing housing supply in close proximity to employment and service uses, and creating high-quality, complete urban neighborhoods by focusing new housing growth into higher-density, compact areas around transit facilities.

San José has traditionally provided the bulk of housing in Santa Clara County with a large range in price and the largest number of affordable units. Much of this housing is in the form of low-density neighborhoods. A shortage of commercial and industrial activity and relatively low residential property values have negatively impacted the City's revenue while the inefficient form of its housing supply has raised service costs. This has resulted in fiscal challenges for the City as it attempts to provide services to its resident population. In order to provide and maintain high-

quality residential areas, the City should pursue opportunities to improve its fiscal health through the implementation of its policies related to housing.

Goal IP-19 – Housing Development

Implement the General Plan Land Use / Transportation Diagram and General Plan Goals, Policies and Implementation Actions related to housing development (Housing Program) to meet San Jose's housing needs and to address State and regional housing production requirements.

Policies – Housing Development

- IP-19.1 Through a Major General Plan Review or, as needed, through the Annual General Plan review process, evaluate the Plan's consistency with housing development goals as determined by the State and regional agencies and take actions as necessary to address their requirements.

- IP-19.2 In determining an appropriate Housing Program, maximize City resources towards the area of greatest need and to utilize available State and Federal programs.

Housing Element

San José's Housing Element 2007-2014 was adopted in June 2009 and was subsequently certified that year by the State Department of Housing and Community Development (HCD). State certification indicates that the Housing Element is in compliance with State law. Having a certified Housing Element maintains San José's eligibility for key infrastructure and housing funds from Federal, State, and regional sources.

State law requires cities to update their Housing Element every five to seven years. The current Housing Element addresses housing needs for the period between January 1, 2007 and June 30, 2014. It serves as a starting point for developing the housing goals and policies for the Envision San José 2040 General Plan.

San José has been a leader in providing housing for a growing regional population. The San José 2020 General Plan had capacity for approximately 60,000 new housing units. As currently proposed, this Envision General Plan will provide capacity for approximately 48,000 new housing units through the conclusion of Horizon 1. For 2007-2014, San José's Regional Housing Needs Allocation (RHNA), the City's share of housing for the Bay Area Region is 34,721 new housing units. Of those 34,721 new housing units, 13,073 units should serve low-, very-low, and extremely-low income households and 6,198 units should serve moderate-income households. The Housing Element for 2007-2014 addresses how the City can facilitate development of these new homes consistent with affordability requirements while planning for neighborhoods with parks, schools, and access to transportation, jobs, shopping, and other services.

Housing Element Implementation Program

In the development of the Land Use/ Transportation Diagram, those residential and housing goals and policies having spatial or locational dimensions were considered and are, to a large extent, implemented by land use designations and through the process of reviewing development proposals. Other housing goals and policies cannot be effectuated through land use decisions and require program responses as outlined in the following sections.

Quantified objectives for housing programs are for the revised time frame of the Housing Element (January 1, 2007 through June 30, 2014) rather than the 1994-2020 time frame of the San José 2020 General Plan.

The following discussion is integrally linked with the goals and policies stated in this Plan. The implementation of the housing and other related goals and policies occurs through the development review process, as described earlier in this chapter. Technical information regarding housing issues in San José is provided in Appendix C (Housing) which also includes a detailed description of the housing programs listed below.

Summary of Housing Needs Analysis

In support of the 2007-2014 update of the Housing Element, the City applied available data to build on previous updates. The conclusions of the update indicate a continuation of the trends identified five years earlier. Housing costs remain high in San José and the County as a whole, relative to the State. According to the Santa Clara County Association of Realtors, the median

value of a single family home in San José was \$560,000 and \$350,000 for condominium and townhomes as of August 2008. Clearly such high prices, coupled with high financing costs, can severely constrain the ability of even moderate income families and households to purchase a home. Because of spatial correlations between housing cost and employment centers, the spiraling of prices has also caused an even longer commute time for many households searching for cheaper housing both inside and outside of the region. Such commutes impact the transportation network and degrade the environment.

San Jose's population grew from 894,943 in 2000 to 989,496 in 2008- an increase of 94,553 residents. The City of San José includes over half of the county's population, and has grown slightly faster than the county as a whole over the past decade, and accounts for two-thirds of the residential growth in the county. During the last decade the City's population increased 18% while the county's increased by 17%. This growth is expected to continue into the next decade but at a much slower rate.

Average household size in San Jose has experienced ups and downs over the last thirty years, but has exhibited relative stability in recent years. According to the 2006 American Community Survey, the average household size in San Jose is 3.12 persons, compared to 2.92 in the State and 2.6 nationwide. This figure represents a decrease from the average household size in 2000 and a slight increase over the 1990 figure of 3.08 persons per household. The average household size in San Jose is relatively higher compared to the State and nationwide average. This is partially due to the increase in the number of larger families as well as rising housing costs. According to the 2006 American Community Survey, approximately eight percent of all occupied dwelling units (23,530 units) could be classified as overcrowded with a higher percentage of renters living in overcrowded conditions than owners. As greater numbers of families and households are unable to enter the ownership housing market, they turn to the rental market. The tight housing market has caused vacancy rates to range between 1.0% and 3.6% over the past several years. As further detailed in Appendix C, 53,205 renter households and 81,699 home owner households in San Jose spent more than 30% of their gross incomes on housing in 2006. Of these households, 18,714 were extremely low-income renter households (incomes less than 30% of the area median income); 14,877 were very low-income renter households (incomes between 30% and 60% of area median); and 10,579 were low-income renter households (incomes between 60% and 80% of area median). These numbers do not include those families who are living doubled-up or who are forced to live in outlying areas and commute to jobs in San Jose.

Under State law, the Association of Bay Area Governments (ABAG) determines the fair share allocation of housing need for all Bay Area communities. For San Jose, the housing need is 34,721 dwelling units between January 2007 and June 2014. Of this number, 3,876 are needed for extremely-low income households, 3,875 for very low income households, 5,322 for low income households, 6,198 for moderate income households and 15,450 for above moderate income households. This fair share allocation is limited to the projection of future housing need; it does not take into account households living "doubled-up" or who have been forced to live in outlying areas due to the lack of affordable housing in San Jose due to limitations of official data sources. However, the City's housing programs are intended to address needs of lower-income households. The City's housing programs also seek to create affordable housing opportunities at the deepest affordability. In addition, the City's Housing Department, under its current Notice of

Funding Availability (NOFA) for project developments has a requirement that affordable housing financed by the City must incorporate a minimum of 25% ELI units. Moreover, in accordance with the adopted Five-Year Housing Investment Plan, the Housing Departments must target 30% of its Low and Moderate Income Housing Funds (20% funds) to ELI households.

Determining an Appropriate Program Response

The City of San José has traditionally provided the bulk of housing in Santa Clara County with a large range in price variation including the largest number of affordable units. The needs analysis contained in the Housing Appendix, however, clearly indicates a large and complex housing need which exceeds the resources of the City to meet.

In determining an appropriate program response, the City seeks to maximize its resources towards the area of greatest need and to utilize available State and Federal programs. Recently, however, Federal and State resources which address housing needs have diminished, while needs have increased, particularly for low income rental apartments.

In order to implement the City's housing programs more effectively, the City Council consolidated the Housing and Neighborhood Development Division of the Department of Neighborhood Preservation with the Housing Development section of the Redevelopment Agency in the fall of 1987 and created the Housing Department. A Mayor's Task Force on Housing was created to develop housing policies to guide the City in addressing affordable housing needs. A comprehensive Housing Needs Assessment was prepared by a consultant and reviewed by the Task Force; together with input from the community, the Housing Needs Assessment formed the basis for the five- year Housing Program. The Mayor's Final Report outlines the following City housing policy goals:

- Goal 1:** Increase the supply of affordable housing, preserve the housing stock and reduce the cost of developing affordable housing.
- Goal 2:** Utilize available resources to address priority needs for housing.
- Goal 3:** Increase the funds available for the preservation and development of affordable housing.
- Goal 4:** Disperse low income housing throughout the City to avoid concentrations of low income households and to encourage racial and economic integration.
- Goal 5:** Encourage greater involvement of public and private sectors to increase and preserve the stock of affordable housing in San José.

Based on these policy goals, a series of recommendations was made relating to land use planning, site acquisition, residential development tax exemptions, Single Room Occupancy housing, the conversion of assisted units to market rate rentals, long- term affordability requirements, targeting of funds by income level and need for new or rehabilitated housing, development policies for rental and ownership housing, last resort housing and other issues.

The City has systematically addressed these issues and has implemented the individual recommendations outlined in the Final Report. These goals continue to shape the program directions implemented as a part of the City's Consolidated Plan.

The Housing Assistance Program objectives outlined below include the City's funding resources (numerically identified in the text) as well as available Federal and State monies. Because of uncertainties in dollar projections and recent legislative action at the Federal level, these objectives can only be considered as numerical representations of what the City anticipates can be achieved for low and moderate income housing.

The housing program objectives set forth below represent the results of a number of analyses. The construction activity projections are based on the City's annual construction activity forecasts used in the development of the Capital Improvement Program.

The other program objectives are based on: 1) the City's experience with affordable housing programs which will be monitored annually and updated in conjunction with the Consolidated Plan goal setting process; 2) the rates of success in implementing the Housing Element program goals incorporated into the General Plan in 1978, 1981, 1983, 1984, 1988, 1989, 1994, and 2003; and, 3) State and Federal Government funding resources available to the City. The objectives for the "Additional Programs" listed on the following pages are based on the need to promote additional housing opportunities and to expand existing programs.

Housing Assistance Program Objectives

Construction Activity Projections

The City of San José has projected a total dwelling unit production of approximately 24,700 units for the January 2007- June 2014 time frame of the Housing Element. These figures assume an average of 3,800 new building permits approved each year, reflecting the recent trend of housing construction in San José. The City projects approximately 7,300 units of affordable housing production for the fiscal year 2000/ 01 - 2005/06 time frame. Between January 1999 and June 2006, approximately 8,900 affordable housing units were produced.

Local Assisted Housing Programs Objectives

The City of San José's extremely-low, very low, low and moderate income housing goals for the 2005-2010 Consolidated Plan are summarized on Figure 21 and 22 (see next page). In addition to the five-year housing production goals shown in Figure 21, the City has goals for the conservation of existing affordable housing units. For example, there are 10,585 mobilehome units in San José as of 2006 and all but about 200 of these units are located on sites zoned RM-H (Mobilehome Park District) or are under a Planned Development zoning which allows only mobilehome parks as a permitted use. These zoning districts are designed to encourage the preservation of mobilehome parks and give them some continued protection from speculative conversion to other units during the 2007-2014 planning period because of the increased stability provided for mobilehome parks through these zoning districts.

Figure 21 indicates that the goals for new construction of assisted housing units includes the acquisition/rehabilitation of "at- risk" units (federally assisted rental units that could be converted

to market rate rents). The City's Housing Department will use a variety of programs identified in the Housing Appendix to conserve these units. Over the time period of the Housing Element from July 1, 2009 to June 30, 2014, the City anticipates funding commitments for 2,750 units with an emphasis on Extremely Low- and Very Low-income households. The City does not anticipate allocating funding in order to preserve its at-risk housing units, as this housing stock is primarily owned and managed by non-profit organizations that are committed to preserving the affordability restrictions. Figure 22 breaks down the production goals according to income levels for identified priority groups.

In 2009, the City Council adopted an updated Inclusionary Housing Policy that requires that 15% of the residential units built city-wide be affordable. The ordinance will go into effect when the City issues 2,500 residential permits in a rolling 12-month period or in 2013, whichever comes first.

Figure 21. Proposed Five-Year Production Goals 2009-2014

Targeting	New Construction	Acquisition/ Rehabilitation	Preservation	5-Year Total
ELI	563	125	0	688
VLI	1462	325	0	1787
LI	225	50	0	275
Mod	0	0	0	0
Market	0	0	0	0
Total	2250	500	0	2750
Source: City of San Jose Housing Department, 2008				

Figure 22. Affordable Housing Production Priority

Priority Housing Needs – Households	Income Levels # of Households	Priority Need Level – High, Medium, and Low
Small Related Renters (0-80%) - 20,974	0-30%MFI (7,470)	H
	31-50%MFI (7,365)	H
	51-80%MFI (6,139)	M
Large Related Renters (0-80%) – 12,968	0-30%MFI (4,600)	H
	31-50%MFI (4,715)	H
	51-80%MFI (3,653)	M
Elderly Renters (0-80%) – 8,182	0-30%MFI (5,659)	H
	31-50%MFI (1,685)	H
	51-80%MFI (838)	M
Other Renter Households (12,533)	0-30%MFI (4,955)	H
	31-50%MF I (3,454)	H
	51-80%MFI (4,124)	M
Total Owner Households (0-80%) (19,123)	0-30% MFI (10,755)	H
	31-50% MFI (4,715)	H
	51-80%MFI (3,653)	M
Total		

Source: City of San Jose Department of Housing Consolidated Plan, 2005-2010

Small Households = Four persons or fewer

Large Households = Five persons or more

Existing and New Programs

The following actions will be taken in implementing the goals of the City of San José's Five-Year Housing Strategy:

The Use of the City's 20% Redevelopment Housing Fund

Under the requirements of California Community Redevelopment Law, as provided in Section 33334.2 of the Health and Safety Code, 20% of the tax increment funds from merged, amended, or newly created redevelopment areas utilizing tax increment financing must be set aside for housing purposes for low and moderate income households. These funds may be used for a variety of purposes such as land or building acquisition, construction financing, subsidies, land improvements, development of plans and paying the principal or interest on bonds and loans. Given the economic downturn, the Housing Department anticipates that its 20% funds will stay even with its FY 2008-09 amount of \$37,000,000, and does not expect an increase. The 20% funds are used to finance all aspects of the Housing Department's activities, including new construction and acquisition/rehabilitation programs for family and special needs housing, ownership and rental developments, and predevelopment funding assistance.

In order to maximize the impact of 20% Funds, the Housing Department issues bonds against those funds. The bond proceeds are used to finance the Department's housing programs. The Department's tax increment then goes to repay those bonds over time. In this way, the Housing Department is able to leverage each \$1 of tax increment into approximately \$10 of bond proceeds, for a 1:10 ratio.

San Jose Housing Trust Fund

In June 2003, the City established a Housing Trust Fund (HTF) as a way to create a permanent source of funding for the City's housing and homeless programs. The HTF is a vehicle through which the City seeks and competes for external funding sources otherwise not available to the City. Currently, the HTF is composed of various funding sources, including: bond administration, tax credit application review fees, in-lieu housing fees (see next funding source below), and other miscellaneous revenues. The Housing Department continues to explore ways to strengthen the HTF in order to ensure a dedicated revenue source for the Department's housing programs.

In-Lieu Fees

The City's existing inclusionary housing policy implements the requirements of state law for redevelopment project areas and requires developers with projects in the City's redevelopment areas to set aside a portion of their residential development as income-restricted units. However, developers have the option to pay a fee in-lieu of building the affordable units. These fees are reviewed annually to ensure they are set at an appropriate level. In-lieu fees go to the Housing Department, which are then used to further the Department's affordable housing goals.

Community Development Block Grant Funding

The Community Development Block Grant (CDBG) program provides federal funding to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of lower-incomes. The Housing Department targets CDBG funds for moderate and substantial rehabilitation of Extremely Low-, Very Low- and Low-Income renter and owner-occupied units, and relocation of occupants during the rehabilitation phase, as needed. CDBG funds will further be used to fund projects in specially

designated neighborhoods, to support the City's predevelopment loan program for nonprofit housing sponsors, and to assist in the permanent relocation of households.

2007-2014 Housing Element Implementation Programs

The City has begun implementing various measures to mitigate identified constraints to development and housing production. These measures facilitate housing production by streamlining the permitting process, reducing costs, or providing a level of predictability in the development process. Some examples of these programs include:

- Transit-Oriented Development/Mid- and High-Rise Residential Design Guidelines
- Enhanced High-Rise Design Review Process
- 2007 California Standards Code Outreach and Training
- Live Telephone Customer Service
- Preliminary Review Application Process
- Housing Department Notice of Funding Availability (NOFA) Process and Underwriting Guidelines
- Improvements in the Building Division to facilitate streamlining of the permitting process
- Elimination of the Planned Development Zoning process requirement for certain Mixed-Use Development projects
- Option to Use Discretionary Alternate Use Policies through a Use Permit
- 2008 Zoning Ordinance Streamlining Amendments

In addition, implementation of the 2007-2014 Housing Element will require the City to update existing land use policies in the General Plan as well as adopt new ordinances and revisions to the Zoning Ordinance in order to comply with State law. These actions include adopting a Density Bonus Ordinance, establishing a higher-density multi-family residential zoning district, and revising several General Plan land use designations to establish a minimum density of 30 dwelling units per acre. Descriptions of these programs the relevant General Plan policies that guide their implementation are listed in Figure 23.

Equal Housing Opportunities

The City of San José is committed to providing equal housing opportunities for all persons wishing to reside in San José. City policy is to distribute housing units affordable to various income levels throughout the City to create economically diverse neighborhoods. The City has a variety of programs to avoid discrimination and to resolve discrimination complaints.

The City of San José encourages equal housing opportunities through its rent relief/stabilization program. Apartment tenants and mobilehome residents seeking relief from rent increases may request a public hearing.

The City funds the Legal Aid Society of Santa Clara County's Housing Project with CDBG monies for the provision of fair housing services to landlords and tenants. Legal Aid provides help with evictions, rental repairs, deposits, rental agreements, leases, rental disputes, mortgage

delinquency, home purchase counseling, housing discrimination and other housing related issues. Legal Aid staff is responsible for fair housing counseling, conciliation, fair housing education, referrals, investigations and audits. These responsibilities may extend to monitoring of HUD subsidized complexes on a request basis.

**Table 7-1: Land Use / Transportation Diagram Growth Areas by Horizon -
Planned Yield of Residential Units (TO BE UPDATED)**

The following tables identify the amount of housing that is expected to be produced through full utilization of residential Growth Areas included within each Plan Horizon. The Land Use / Transportation Diagram identifies for each property an allowable range of density for new development so that actual implementation may yield a different number of units than indicated in the table. Total Planned (Projected) Unit Yield = the number of residential units planned to be built based upon the projected average density and the acreage available for residential development within each Growth Area.

Map: Land Use / Transportation Diagram – Housing Growth Areas by Horizon